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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

WATER RESOURCES DEPARTMENT
ENGINEER-IN-CHIEF (ADMIN)
VIJAYAWADA.

Proceedings.No.RC/ENC/K3/E-4231925/2021.

Dated:17/10/2024.

Sri K. SYAM BABU, ASSISTANT EXECUTIVE ENGINEER (D.O.B: 10.02.1973, ZONE-IV) – UNAUTHORIZED ABSENCE TO DUTY FROM 04.07.2007 ONWARDS (i.e., FOR 13 YEARS) - DISCIPLINARY ACTION INITIATED - AOCs ISSUED – INQUIRY REPORT RECEIVED - ALL CHARGES HELD PROVED - FINALIZATION OF DISCIPLINARY ACTION IMPOSING OF MAJOR PUNISHMENT OF **REMOVAL FROM SERVICE** UNDER RULE 9 OF APCS CCA RULES, 1991.

- Ref:** 1. CE/CDO/Hyderabad , Lr No.SE/DC/CDC/E1/88, Dt:05.02.2008.
2. Representation of Sri Syam Babu, Dt. 21 01 2021
3. Show Cause Memo No K1/E-4231925/2021.Dt: 09.02 2021
4. from Sri K. Syam Babu, 16 02 2021
5. TO Lr.No. RC/ENC/K1/E-4231925/2021, Dt 26.02.2021
6. T.O. memoNo. RC/ENC/K1/E-4231925/2021,Dt.17.03.2021
7. E-mail from K. Syam Babu, Dt.31.03.2021
8. T.O. Lr.No. RC/ENC/K1/E-4231925/2021, Dt.08.04.2021

9. T.O. Lr.No. RC/ENC/K1/E-4231925/2021, Dt 28.04.2021
10. Engineer-in- Chief (Admn wing), I&CAD Department, Hyderabad
Lr. No.ENC/AW /H3/21022243/2021/20363, Dt.19.06.2021
11. Letter from Sri K. Syam Babu, Dt.01.07.2021
12. Govt. memo No. 26017/Ser.IV.2 /2006-2, Dt.16.11.2006
15. T.O.procedgs No.RC/ENC/K1/E-4231925/2021,Dt.02.07.2021.
16. T.O.procedgs No.RC/ENC/K1/E-4231925/2021,Dt.02.07.2021.
17. WSD of Sri K.Syam Babu,A.E.E , Dt. 20 07 2021.
18. T.O. Memo No.RC/ENC/K1/E-4231925/2021,Dt.10.08.2021.
19. from SE/ (CADA/ Vijayawada Lr. No. SE/APIIATP(CADA)/Enquiry - 1,
Dt:11.11.2021.
20. T.O. Memo No.RC/ENC/K1/E-4231925/2021,Dt.29.12.2021.
21. from SE/P&M Cell/ Vijayawada Lr.No.ENC/IW/SE(P&M)/2023,
Dt:24.04.2023.
22. T.O. Memo No.RC/ENC/K1/E-4231925/2021,Dt.05.05.2023.
23. S.E/PPMU/Vijayawada Lr No.ENC(I)/VJA/SE/PPMU/154, Dt:11.10.2023.
24. T.O Lr No.RC/ENC/K(1)/E-4231925/2021, Dt:13.02.2024.
25. Govt. memo No. 2392253/Vig.I/A2/2024, Dt.30.07.2024.
26. T.O Memo.No.RC/ENC/K(1)/E-4231925/2021, Dt:12.08.2024.
27. Superintending Engineer, AVR HNSS Circle-3, Madanapalle
Lr.No. SE/HNSS C.3/MPL/AB/EC-1/E-2/57^{ENC(AW)}, Dated:27-09-2024
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Sri K. Syam Babu, Assistant Executive Engineer (D.O.B: 10.02.1973, Zone - IV) while working in the Superintending Engineer, Designs Circle, C.D.O., Hyderabad has applied for H.P.L from 04.07.2007 to 29.09.2007 on personal affairs but he has not turned up to duties nor any extension of leave. Hence, the said A.E.E has surrendered to Engineer-in-Chief (Admn.), Hyderabad vide reference 1st cited.

2. After laps of more than 13 years, the A.E.E has submitted a representation vide reference 2nd cited, along with the copy of the Chief Engineer, CDO, Hyderabad memo dt.15.05.2008 requesting this office for reposting orders to either one of the place in P&M Cell of Engineer-in-Chief (Admn.), Vijayawada or Chief Engineer, Hydrology, Vijayawada stating that he was proceeded on leave from 04.07.2007 to till his date of representation i.e., 20.01.2021 due to his extremely adverse personal and financial circumstances which were threatening his existence. He further stated that he accepted his mistake of proceeding to overseas for employment on unauthorized leave but for his unauthorized absence to duty is not wilful but due to compulsion from the then prevailing adverse personal and financial situations.

3. A show cause memo has been issued to the individual vide reference 3rd cited, to submit his explanation with valid reasons as to why a penalty of removal from service shall not be imposed against him in terms of Rule 5-B of AP Leave Rules, 1933 and as per the G.O. Ms. No.127GAD (SERVICES.C),Dept., Dated: 15-09-2017 for his Misconduct, Misbehavior, willful absence to duty and to proceeded to overseas without prior permission from the Government within a week from the date of receipt of the show cause memo. failing which suitable action will be initiated as per the rules in vogue.

4. Sri K. Syam Babu, A.E.E has submitted his explanation in the reference 4th cited stating that due to his extremely adverse, unmanageable, out of control personal and financial circumstances compelled him to proceed to Dubai for employment on emergency basis. More work load without proper working hours, without proper food and rest made his health deteriorated and hence he came down to India to take care of his health issues. He further stated that he wished to report to duty and hence requested the authorities to bestow his life to their family by providing employment without imposing the penalty of removal from service.

5. A detailed report has been submitted to the Govt. vide the reference 5th cited, duly requesting for necessary early orders to proceed in this case whether to issue posting orders in terms of Circular Memo. No. 26017/ser.IV.2/ 2006-2 dt.16-11-2006 or to initiate major punishment of removal from service under Rule, 9 of APCS (CCA) Rules, 1991 and in terms of Rule 18, 67 of F.R , Rule 5 of APL.R, 1933 and as per G.O. Ms. No.127 General Administration (SERVICES.C) department, Dated: 15-09-2017 for his unauthorized absence to duty since July 2007(i.e., for 13 years) which is more than his service rendered in the department.

6. Sri K. Syam Babu was directed in the reference 6th cited to furnish the list of certain documents in support of his service particulars to determine his last place of working since there is no data available pertaining to him. Subsequently, in the reference 7th cited the individual has submitted particulars regarding his service in this department but failed to ascertain his last working station.

7. Govt. was once again addressed requesting to issue suitable early directions / instructions in this matter to proceed further in this matter In the reference 8th cited. Subsequently, the Engineer-in-Chief (Admn. Wing), I&CAD Department, Hyderabad was also requested vide ref.9th cited, to furnish the information pertaining to Sri K. Syam Babu A.E.E and his service register if any available.

8. The Engineer-in-Chief (Admn. Wing), I&CAD Department, Hyderabad has informed in the reference 10th cited, that the Service register of the individual has been handed over to the ENC (Admn.) during the State Bifurcation. Subsequently, the same has been obtained from the old records.

9. In the reference 11th cited, Sri K. Syam Babu, A.E.E has submitted a letter requesting for posting orders duly expressing his willingness to join to duty.

10. After careful examination of the entire matter, in order to implement the Govt. orders issued vide Govt. Circular Memo. 12th cited, pending initiation of disciplinary action against him for his unauthorized absence to duty for the period from July 2007 which is more than 13 years till his posting, Sri K. Syam Babu, A.E.E is here by posted to G.R.P. Sub-division No.4, Yemmiganur of GRP Division No.2, Yemmiganuru of Handri Neeva Sujala Sravanthi Circle-3, Madanapalle the Asst. Executive Engineer is directed to join duty at his new station immediately vide reference 13th cited above.

11. Article of Charges were issued to Sri K. Syam Babu A.E.E for his unauthorized absence to duty with a direction to submit written statement of defence for the charges framed against him vide reference 14th cited above.

12. Sri. K.Syam Babu A.E.E has submitted his Written Statement of Defence and requested to drop the charges framed against him on humanitarian grounds and regularize the absence period as E.O.L vide reference 15th cited above.

13. The Superintending Engineer, Commissioner, CADA, Vijayawada was appointed as an Inquiry Officer on the Article of Charges framed against Sri K. Syam Babu A.E.E and submit a report whether each charge held proved or not along with specific remarks vide reference 16th cited.

14. Smt.Y.V.Raja Rajeswari, Superintending Engineer, Commissioner, CADA, Vijayawada & Inquiry Officer has reported that she has volume of work load and implementing various irrigation projects and requested to appoint another Inquiry Officer vide reference 17th cited.

15. By considering the request of Superintending Engineer, Commissioner, CADA, Vijayawada, this office has appointed the Superintending Engineer, P&M Cell, O/o. Engineer-in-Chief(I.W), Vijayawada as an Inquiry Officer on the Article of Charges framed against Sri K. Syam Babu A.E.E and submit a report whether each charge held proved or not along with specific remarks vide reference 18th cited.

16. Sri.V.Sai Ram Prasad Superintending Engineer, P&M Cell, O/o. Engineer-in-Chief(I.W), Vijayawada & I.O has reported that he is dealing with vast volume of work load and importance correspondence with various irrigation projects and requested to appoint another Inquiry Officer vide reference 19th cited.

17. By considering the request of Superintending Engineer, P&M Cell, O/o. Engineer-in-Chief(I.W), Vijayawada & Inquiry Officer has appointed the Superintending Engineer, PPMU, O/o. Engineer-in-Chief (Irrigation), Vijayawada as an Inquiry Officer on the Article of Charges framed against Sri K. Syam Babu A.E.E and submit a report whether each charge held proved or not along with specific remarks vide reference 20th cited.

18. As per the Inquiry Officers report, the **Article of charges - I,II,III,IV issued to Sri K. Syam babu, A.E.E are proved** and the same was submitted to the Government to initiate suitable disciplinary action against Sri K. Syam Babu, A.E.E for his unauthorized absence for 13 years as the charges against him are proved.

19. The Government has directed this office vide reference 25th cited, **to take immediate necessary action against Sri K. Syam Babu, A.E.E as per G.O.Ms.127, Dated:15-09-2017 (i.e. Removal from the service) as the charges against him are proved.**

20. The above said A.E.E was directed to show cause memo, as to why a Major Punishment (i.e. Removal from service) should not be imposed on him for his unauthorized absence from duty as explained above, as per the G.O.Ms.127, Dated:15-09-2017 vide reference 26th cited.

21. In the reference 27th cited, Sri K. Syam babu, AEE has submitted his explanation, requesting to drop the proposal of imposing the major punishment i.e. removal from the service duly considering his case on **humanitarian grounds** which is **not convincing**.

22. The action of Sri K. Syam babu, A.E.E in absconding from duty duly proceed to abroad without prior intimation and approval from the Government **for more than 13 long years** at his will and wish and shuttled multiple times from Dubai to India but he has failed to intimate his whereabouts/proceedings to abroad even in a single time to the Government which shows his misconduct/misbehaviour and disrespect/disobedience towards his duties and higher authorities is highly irregular and against the A.P.C.S (Conduct) Rules, 1964 and also as per the Inquiry Officers report, the Article of charges - I,II,III,IV issued to Sri K. Syam babu, A.E.E are proved, for which it is construed that Sri K. Syam babu, A.E.E is not willing and no interest in the Government service in India for 13 years during his stay at Dubai and hence liable to impose a major punishment as per Sub Rule – 20 (ii) of Rule – 11 of A.P.C.S. (CC&A) Rules, 1991 and also as per G.O.Ms.No. 127 General Administration (Services.C) Department dt.15-09-2017.

23. Accordingly, the punishment proposed vide this office reference 26 th cited above, is hereby confirmed and decided that **Sri K. Syam babu, A.E.E** is hereby **removed** from the Government Service w.e.f. the date of his proceeding on unauthorized leave i.e, 04-07-2007 Under Rule – 9 of A.P.C.S. (C.C. & A) Rules, 1991 and also as per G.O.Ms.No. 127 dated: 15-9-2017.

The receipt of the orders should be acknowledged in the first instance.

T.V.N.A.R.KUMAR,
Engineer-in-Chief (Admn.).

Sri K. Syam Babu, Assistant Executive Engineer
through the Superintending Engineer, AVR HNSS Circle No-3, Madanapalle.

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